



## UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/489,293 01/21/00 KRIEGER

D A-67845/JAS

EXAMINER

MM71/0803

Flehr Hohbach Test  
Albritton & Herbert LLP  
Suite 3400 Four Embarcadero Center  
San Francisco CA 94111

GONZALEZ, T	ART UNIT	PAPER NUMBER
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2834

DATE MAILED:

08/03/01

### Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed 8/23/01 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).

2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii)

3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i)

4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii)

5. Other \_\_\_\_\_

PRELIMINARY AMENDMENT: Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

AMENDMENT AFTER NON-FINAL ACTION: Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

*Arleene Jomes 703 3083069*  
Arleene Jomes  
Legal Instruments Examiner